REMARKS

Claims 1-24 are pending. Claims 1, 9, 18 and 19 are independent.

Reconsideration and allowance of the above-identified application are respectfully requested. Applicant notes with appreciation the allowance of claims 8 and 13. Accordingly, claim 22, which depends from claim 8, is also allowable and acknowledgement is respectfully requested.

In the Office Action, claims 1-7, 9-12 and 14-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,922,045, to Hanson (hereinafter referred to as the Hanson patent). Claims 1-7, 9-12 and 14-24 are also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,801,763, to Elsey et al (hereinafter referred to as the Elsey et al patent). Applicants respectfully submit that these patents both fail to teach or suggest several claimed features of the invention.

The Hanson patent

The Hanson patent discloses an audio information service whereby a user can contact an audio information service platform to access selected audio programs. In addition, a user profile is stored in a database including services previously accessed by the user and the location within each audio service at which the user previously terminated the service. The profile allows a user to return to an audio service at the location of termination.

Claims 1-7

The Hanson patent fails to teach or suggest performing a transaction session as recited in claim 1, among other claimed elements.

The text at column 4, lines 23-67 of the Hanson patent merely describes a user interaction with a playback module 109 for audio programs. A service controller 107 monitors playback progress and bookmarks a program to allow a user to end the call and then call back to continue the program where he or she left off.

The last step of claim 1 recites stored session data to allow calls to be established and terminated "before completion of the transaction session." The first step of claim 1 recites that a transaction session comprises at least one client interaction session and a data source interaction session. The Hanson patent does not teach or suggest termination and establishment of calls as claimed and a transaction session as claimed. Further, the Office Action does not set forth how the Hanson patent teaches every aspect of the claimed invention.

Even if the operations of the playback module in the Hanson et al patent could arguably suggest a client interaction session as recited in claim 1, the Hanson patent does not disclose or suggest a data source interaction session as recited in claim 1.

Claim 1 recites a method that allows a user to access an information site or an application site on the internet. The first step of claim 1 recites performing a transaction session by accessing a data source in multiple phases, whereby the data source is at least one of the information site or the application site on the internet. As claimed in the first step of claim 1, the transaction session comprises a data source interaction session and at least one client interaction session. In the illustrated embodiment of Hanson (e.g., Fig. 1), there is no disclosure of a data source as claimed (i.e., at least one of the information site or the application site on the internet) but rather a player module 109 accessed via a PSTN 102. The Office Action relies on column 1, lines 55-64, and column 6, lines 25-49 of the Hanson patent to purportedly teach a data source accessed via the internet but this is incorrect. The text at column 1, lines 55-64 of the Hanson patent state teach a music program accessed via the internet *and downloaded to a user PC* for subsequent playback, and not playback of material during internet access thereto as the Office Action appears to suggest. Further, the Hanson patent states "It would be advantageous if the PC could provide a technique for automatically positioning the playing back of the *downloaded* program...". Similarly, the text at column 6, lines 25-49 of the Hanson patent refers to downloaded audio programs from the internet. See, in particular, column 6, lines 36-40 of the Hanson patent which teaches "the more appropriate presentation would

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involve first downloading the program material to the user's PC...". The text at column 6, lines 32-36 of the Hanson patent refers briefly to real-time audio program presentation. Assuming arguably that the platform 103 can be construed to be the data source as claimed and could be accessed via the internet in real-time, the Hanson patent is silent regarding the third step of using stored session data. In other words, the Hanson patent does not teach how a user can terminate and re-establish user calls to the platform 103 before completion of a transaction session that includes both client interaction sessions and a data source interaction session to platform 103. Thus, no data source interaction session as claimed is disclosed by the Hanson patent. Further, no transaction session as claimed is disclosed by the Hanson patent, that is, the Hanson patent does not disclose the combination of a client interaction session and a data source interaction session.

With regard to claim 5, which depends from claim 1, the Hanson patent does not teach a session management gateway connected downstream of the information or application site via the internet and upstream of the client device. The Office Action refers to text at column 6, line 25-57 which describes access to program material via a PC and the internet. The PC cannot be relied on to teach two of the session management gateway, the data source and the client devices as claimed. Accordingly, the rejection of claim 5 under 35 U.S.C. §102(e) is improper.

Claim 4 is allowable for reasons stated above with respect to claim 1, and claims 2, 3, 6 and 7 are allowable for reasons stated above with respect to claims 1 and 5.

Claims 9-12, 14-17 and 23

Regarding independent claim 9, the Office Action has not properly set forth which components described in the Hanson patent teach the session management gateway, the transaction session, the client device and the data source, respectively, as recited in claim 9. Further, the Hanson patent does not disclose or suggest the session

management gateway, the transaction session, the client device and the data source recited in claim 9.

Claim 9 recites a system for managing access of a client device to a data source comprising an information site or an application site on the internet. The Office Action appears to refer to the text at column 6, lines 25-57 of the Hanson patent to teach a data source on the internet with a PC as a client device. Assuming arguably that the PC described in this section of text can be a session management gateway, then there is no teaching in the Hanson patent of a client device downstream of the PC when considering the first paragraph of claim 9. Further, when considering the third paragraph of claim 9 (e.g., "in response to a user initiating the transaction session by establishing a connection with the session management gateway via a client device that employs a voice device or a data device"), there is no teaching in the Hanson patent of storing transaction session data in a memory device in response to a user establishing a connection with the PC. The Hanson patent only stores a user profile after a program has been selected from a menu, the user has commenced listening to the program, and has terminated listening prior to program completion and bookmarking is available (i.e., see Fig. 2a and corresponding text in the Hanson patent).

In addition, the Hanson patent fails to teach or suggest a transaction session as recited in claim 9, among other claim elements, for the reasons stated above with respect to claim 1. In particular, the Hanson patent fails to teach a transaction session comprising a data source interaction session and a client interaction session as claimed and termination and establishment of connections as claimed. Further, the Office Action does not set forth how the Hanson patent teaches every aspect of the claimed invention.

Dependent claims 10-12, 15 and 23 are allowable for reasons stated above with respect to claim 9.

With regard to claim 14, the Hanson patent is silent regarding deletion of audio program use and user ID data from memory.

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With regard to claim 16, the Hanson patent is silent regarding a first session management gateway, as well as another session management gateway. Assuming the PC disclosed in the Hanson patent is arguably a session management gateway, which is not the case for reasons stated above, the Hanson patent is silent regarding another session management gateway. Accordingly, the Hanson patent cannot anticipate claim 17, which depends from claim 16.

Claims 18 and 24

Claim 18 recites "establishing a first client interaction session when a first connection is established...to initiate a transaction session," among other recitations. The Office Action does not set forth how the Hanson patent teaches the recited elements of the claim such as the first client interaction session, the first connection, the second client interaction session, the second connection and the mapping of the second client interaction session with the transaction session. The Hanson patent merely describes calls or connections of the user to the playback module without reference to different client interaction sessions.

The Hanson patent fails to teach or suggest establishing a first client interaction session with a session management gateway as recited in claim 18, among other claim elements. For reasons stated above with respect to claim 9, the Hanson patent fails to teach or suggest a session management gateway, a data source and user device as claimed.

Claim 24 is allowable for reasons stated above with respect to claim 18.

Claims 19-21

For reasons stated above with respect to claim 1, the Hanson patent fails to teach or suggest a transaction session, a data source and a client device as recited in claim 19.

Also, for reasons stated above with respect to claim 9, the Hanson patent fails to teach or suggest a session management gateway as claimed in claim 20.

With regard to claim 21, the Hanson patent is silent regarding deletion of audio program use and user ID data from memory.

The Elsey et al patent

The Elsey et al patent discloses and information/call center 100 for providing travelers with directions. Requested travel directions are obtained from a map server and stored in a file. The disclosed center 100 (see Fig. 1) allows users to obtain directions from the file in installments (e.g., via multiple calls to a interactive voice response (IVR) unit 131 that reads the directions from the file).

Claims 1-7

The last step of claim 1 recites stored session data to allow calls to be established and terminated "before completion of the transaction session." The first step of claim 1 recites that a transaction session comprises at least one client interaction session and a data source interaction session. The Elsey et al patent does not teach or suggest termination and establishment of calls as claimed and a transaction session as claimed. Further, the Office Action does not set forth how the Elsey et al patent teaches every aspect of the claimed invention.

In addition, the Elsey et al patent does not teach or suggest a data source and a transaction session comprising a data source interaction session as claimed since the directions are first stored in a file prior to use. See for example, column 5, lines 23-52 and column 13, lines 36-52 of the Elsey et al patent. By contrast, claim 1 recites a method that allows a user to access an information site or an application site on the internet. The first step of claim 1 recites performing a transaction session by accessing a data source in multiple phases, whereby the data source is at least one of the information site or the application site on the internet. As claimed in the first step of claim 1, the transaction session comprises a data source interaction session and at least one client interaction session. Since no data source interaction session as

claimed is disclosed by the Elsey et al patent, no transaction session as claimed is disclosed by the Elsey et al patent.

Claims 2-7 are allowable for reasons stated above with respect to claim 1.

Claims 9-12, 14-17 and 23

Regarding independent claim 9, the Elsey et al patent fails to teach or suggest a transaction session or data source as recited in claim 9, among other claim elements, for the reasons stated above with respect to claim 1.

For example, the Elsey et al patent fails to teach or suggest a transaction session as recited in claim 9, among other claim elements, for the reasons stated above with respect to claim 1. In particular, the Elsey et al patent fails to teach a transaction session comprising a data source interaction session and a client interaction session as claimed and termination and establishment of connections as claimed. Further, the Office Action does not set forth how the Elsey et al patent teaches every aspect of the claimed invention.

In addition, assuming arguably that the map server can teach a data source as claimed and the IVR unit 131 teaches a session management gateway as claimed, there is no session with the map server since the directions therefore are saved and used by the IVR unit 131 for interacting with the user. Further, if the IVR unit 131 was arguably construed as a session management gateway as claimed, the IVR unit does not connect to client devices or data devices.

Dependent claims 10-12, 15 and 23 are allowable for reasons stated above with respect to claim 9.

With regard to claim 14, the Elsey et al patent is silent regarding deletion of travel directions and user ID data from memory.

Claims 18 and 24

Claim 18 recites "establishing a first client interaction session when a first connection is established...to initiate a transaction session," among other recitations.

The Office Action does not set forth how the Elsey et al patent teaches the recited elements of the claim such as the first client interaction session, the first connection, the second client interaction session, the second connection and the mapping of the second client interaction session with the transaction session. The Elsey et al patent merely describes calls or connections of the user to the IVR unit without reference to different client interaction sessions.

The Elsey et al patent fails to teach or suggest establishing a first client interaction session with a session management gateway as recited in claim 18, among other claim elements. For reasons stated above with respect to claim 9, the Elsey et al patent fails to teach or suggest a session management gateway and a data source as claimed.

Claim 24 is allowable for reasons stated above with respect to claim 18.

Claims 19-21

For reasons stated above with respect to claim 1, the Elsey et al patent fails to teach or suggest a transaction session and a data source in claim 19.

Also, for reasons stated above with respect to claim 9, the Elsey et al patent fails to teach or suggest a session management gateway and a data source as claimed in claim 20.

With regard to claim 21, the Elsey et al patent is silent regarding deletion of travel directions and user ID data from memory.

Conclusion

Accordingly, withdrawal of 35 U.S.C. §102(e) bases for rejecting the claims 1-7, 9-12, 14-21, 23 and 24 is respectfully requested.
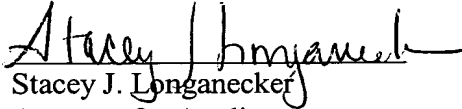

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner

have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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